

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action
	)	No. 13-10200-GAO
	)	
DZHOKHAR A. TSARNAEV, also	)	
known as Jahar Tsarni,	)	
	)	
Defendant.	)	
	)	

BEFORE THE HONORABLE GEORGE A. O'TOOLE, JR.  
UNITED STATES DISTRICT JUDGE

**LOBBY CONFERENCE - SEALED**

John J. Moakley United States Courthouse  
Courtroom No. 9  
One Courthouse Way  
Boston, Massachusetts 02210  
Tuesday, March 3, 2015  
10:41 a.m.

Marcia G. Patrisso, RMR, CRR  
Official Court Reporter  
John J. Moakley U.S. Courthouse  
One Courthouse Way, Room 3510  
Boston, Massachusetts 02210  
(617) 737-8728

Mechanical Steno - Computer-Aided Transcript

## 1 APPEARANCES:

2 OFFICE OF THE UNITED STATES ATTORNEY  
3 By: William D. Weinreb, Aloke Chakravarty and  
4 Nadine Pellegrini, Assistant U.S. Attorneys  
5 John Joseph Moakley Federal Courthouse  
6 Suite 9200  
7 Boston, Massachusetts 02210

8 - and -

9 UNITED STATES DEPARTMENT OF JUSTICE  
10 By: Steven D. Mellin, Assistant U.S. Attorney  
11 Capital Case Section  
12 1331 F Street, N.W.  
13 Washington, D.C. 20530  
14 On Behalf of the Government

15 FEDERAL PUBLIC DEFENDER OFFICE  
16 By: Miriam Conrad, Federal Public Defender  
17 51 Sleeper Street  
18 Fifth Floor  
19 Boston, Massachusetts 02210  
20 - and -

21 CLARKE & RICE, APC  
22 By: Judy Clarke, Esq.  
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25 San Diego, California 92101  
- and -

LAW OFFICE OF DAVID I. BRUCK  
By: David I. Bruck, Esq.  
220 Sydney Lewis Hall  
Lexington, Virginia 24450  
On Behalf of the Defendant

## 18 ALSO IN ATTENDANCE:

19 James McAlear, Jury Administrator  
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P R O C E E D I N G S

THE COURT: We almost made it. We have another juror problem. Number 245 did not report this morning, and Jim has tracked him down at his place of work to find out why he wasn't here. And he's an interpreter, medical interpreter. He said he couldn't get coverage and so he went to work.

He's on his way here per instructions to come in a cab, and I invite your input.

MR. MELLIN: We haven't even started, your Honor. I would think at this point we should just excuse him.

MR. WEINREB: I would agree.

THE COURT: That would be my inclination, but I didn't want to suggest it before you did.

MR. WEINREB: It's a bad sign to begin with.

THE COURT: I think it is. I know it is. It's rather disrespectful of the process. So when he gets here, we'll give him a talking to and send him back.

MS. CLARKE: You'll yell at him and send him home. I still want to see the guy that didn't want to come out. The juror who was refusing to come out.

(Laughter.)

THE COURT: Oh, yeah. Yeah. I think it's just as well you didn't see him per the reports I have.

MR. WEINREB: It feels like Groundhog Day.

THE COURT: Anyway, that's it. I just -- so

1 otherwise, do you still need a little time?

2 COUNSEL IN UNISON: Yes.

3 THE COURT: All right. Fine. Great.

4 (The proceedings adjourned at 10:43 a.m.)

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## C E R T I F I C A T E

I, Marcia G. Patrisso, RMR, CRR, Official Reporter of the United States District Court, do hereby certify that the foregoing transcript constitutes, to the best of my skill and ability, a true and accurate transcription of my stenotype notes taken in the matter of Criminal Action No. 13-10200-GAO, United States of America v. Dzhokhar A. Tsarnaev.

/s/ Marcia G. Patrisso  
MARCIA G. PATRISSE, RMR, CRR  
Official Court Reporter

Date: 5/10/16